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Dated: February 22, 2010    Signature: /Mark D. Russett/  
Mark D. Russett, Reg. No. 41,281

Docket No.: 66530(46590)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kohji Fukatsu et al.

Application No.: 10/534,081

Confirmation No.: 8962

Filed: June 13, 2005

Art Unit: 1628

For: RECEPTOR FUNCTION REGULATOR

Examiner: J. P. Cornet

### **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in a Supplementary European Search Report issued January 22, 2010, during the prosecution of European Patent Application No. 03810621.7, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the Supplementary European Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

Applicants note that the following citations from the Supplementary European Search Report have already been made of record in this case and are therefore not listed on the attached form PTO/SB/08: WO-02/057783, WO-03/016254, WO-03/070686, WO-99/11255, WO-02/053547, WO-02/083616, WO-03/068959, and WO-03/099793.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

I hereby certify, pursuant to 37 CFR 1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

It is believed that no fee is due for consideration of this paper. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 66530(46590).

Dated: February 22, 2010

Respectfully submitted,

By: /Mark D. Russett/

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